



CRITICAL HABITAT FOR THREE REPTILES
FROM MONA ISLAND, PUERTO RICO

[FR Doc. 77-14847 Filed 5-25-77; 8:45 am]

[50 CFR Part 17]
**ENDANGERED AND THREATENED
WILDLIFE AND PLANTS**

**Proposed Endangered Status and Critical
Habitat for the New Mexican Ridge-
Nosed Rattlesnake**

AGENCY: U.S. Fish and Wildlife Service.

ACTION: Proposed rulemaking.

SUMMARY: The Director, U.S. Fish and Wildlife Service (hereinafter, the Director and the Service, respectively), hereby issues a proposed rulemaking, pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531-1543, 87 Stat. 884; hereinafter the Act), which would determine the New Mexican ridge-nosed rattlesnake (*Crotalus willardi obscurus*) to be an endangered species and which would determine Critical Habitat for this species. This species occurs in New Mexico and Chihuahua, Mexico.

DATES: All relevant comments and materials with regards to this proposed rulemaking received no later than August 24, 1977, will be considered by the Director, U.S. Fish and Wildlife Service.

ADDRESSES: Comments and materials concerning this proposed rulemaking preferably in triplicate, should be sent to the Director (FWS/OES), U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240. Comments and materials received will be available for public inspection during normal business hours at the Service's Office of Endangered Species, Suite 1100, 1612 K Street NW., Washington, D.C. 20240.

**FOR FURTHER INFORMATION CON-
TACT:**

Mr. Keith M. Schreiner, Associate Director, Federal Assistance, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240 (202-343-4646).

SUPPLEMENTARY INFORMATION:

BACKGROUND

Section 4(a) of the Act states:

General.—(1) The Secretary shall by regulation determine whether any species is an endangered species or a threatened species because of any of the following factors:

- (1) The present or threatened destruction, modification or curtailment of its habitat or range;
- (2) Overutilization for commercial, sporting, scientific, or educational purposes;
- (3) Disease or predation;
- (4) The inadequacy of existing regulatory mechanisms; or
- (5) Other natural or manmade factors affecting its continued existence.

This authority has been delegated to the Director.

**SUMMARY OF FACTORS AFFECTING
THE SPECIES**

The findings are summarized herein under each of the five criteria of Section 4(a) of the Act. These factors, and their application to the New Mexican ridge-nosed rattlesnake are as follows:

1. *The present or threatened destruction, modification, or curtailment of its habitat or range.* The range of the New Mexican ridge-nosed rattlesnake is primarily restricted to two canyons in the Animas Mountains of New Mexico and may involve habitat of approximately one square mile or less. A small population also exists in the Sierra de San Luis, Chihuahua, Mexico. The Playas Valley is experiencing development in the form of a copper ore reduction plant and associated "company town." Evidence indicates that the plant itself will not adversely affect the rattlesnake; however, the increased usage of the Animas Mountains for recreational purposes could severely reduce available habitat and thus be detrimental to the populations of the New Mexican ridge-nosed rattlesnake.

2. *Overutilization for commercial, sporting, scientific, or educational purposes.* This is probably the chief danger to the New Mexican ridge-nosed rattlesnake. Although relatively abundant when first discovered in 1961, the attractiveness of this species, coupled with its limited geographic range, has made it a very desirable animal for scientific and commercial purposes. Dealers in live herpetological specimens have priced this species as high as \$175 or more for an 18-

inch specimen. The value of this animal has led to extreme habitat destruction in the process of collecting, even to the point of using dynamite to blast boulders out of the way. Evidence indicates that the New Mexican ridge-nosed rattlesnake is now rare and will continue to decline unless measures are enacted to restrict collecting.

3. *Disease or predation.* This is probably not a significant factor contributing to the current plight of the species.

4. *The inadequacy of existing regulatory mechanisms.* This species is currently listed an Endangered and protected by State law in New Mexico. The U.S. Fish and Wildlife Service has also entered into agreement with the Pruett-Wray Cattle Company, owners of the canyons where the New Mexican ridge-nosed rattlesnake lives, to close access to collectors. However, this has only been a partial deterrent to those who want a member of this species for their collection.

5. *Other natural or manmade factors affecting its continued existence.* None.

CRITICAL HABITAT

Section 7 of the Act, entitled "Inter-agency Cooperation," states:

The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal departments and agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical.

An interpretation of the term Critical Habitat was published by the Fish and Wildlife Service and the National Marine Fisheries Service in the FEDERAL REGISTER of April 22, 1975 (40 FR 17764-17765). In addition, proposed provisions for Inter-agency Cooperation were published on January 26, 1977, in the FEDERAL REGISTER (42 FR 4868-4875) to assist Federal agencies in complying with Section 7 of the Endangered Species Act of 1973.

The areas delineated below do not necessarily include the entire Critical Habitat of the New Mexican ridge-nosed rattlesnake, and modifications to Critical Habitat descriptions may be proposed in the future. In accordance with Section 7 of the Act, all Federal departments and agencies would be required to insure that actions authorized, funded, or carried out

by them do not result in the destruction or modification of the Critical Habitat of the New Mexican ridge-nosed rattlesnake found within the areas delineated below.

It is recognized that the Critical Habitat area may contain manmade structures that are not of primary use to the New Mexican ridge-nosed rattlesnake. It should be stressed, however, that this is only a proposed rulemaking that is setting forth the outer parameters of the Critical Habitat in question, and that based upon data received and additional studies conducted by the Fish and Wildlife Service, the final rulemaking may differ from this proposal.

Until the issuance of additional guidelines or regulations, all Federal departments and agencies should, in accordance with Section 7 of the Act, consult with the Secretary of the Interior with respect to any actions which might reasonably be expected to affect the delineated Critical Habitat.

CRITICAL HABITAT DETERMINATION

Based upon a study by Dr. Herbert S. Harris of all known localities of the subject species, Critical Habitat for the New Mexican ridge-nosed rattlesnake includes the following:

- (1) Elevations above 6,200 feet in the Animas Mountains, Hidalgo County, New Mexico.

EFFECT OF THE RULEMAKING

The effects of these determinations and this rulemaking include, but are not necessarily limited to, those discussed below.

Endangered Species regulations already published in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all Endangered species. All of those prohibitions and exceptions also apply to any Threatened species unless a Special Rule pertaining to that Threatened species has been published and indicates otherwise. The regulations referred to above, which pertain to Endangered species, are found at § 17.21 of Title 50 and, for the convenience of the reader, are reprinted below:

§ 17.21 Prohibitions.

(a) Except as provided in Subpart A of this part, or under permits issued pursuant to § 17.22 or § 17.23, it is unlawful for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit, or to cause to be committed, any of the acts described in paragraphs (b) through (f) of this section in regard to any endangered wildlife.

(b) *Import or export.* It is unlawful to import or to export any endangered wildlife. Any shipment in transit through the United States is an importation and an exportation, whether or not it has entered the country for customs purposes.

(c) *Take.* (1) It is unlawful to take endangered wildlife within the United States, within the territorial sea of the United States, or upon the high seas. The high seas shall be all waters seaward of the territorial sea of the United States, except waters officially recognized by the United States as

the territorial sea of another country, under international law.

(2) Notwithstanding paragraph (c)(1) of this section, any person may take endangered wildlife in defense of his own life or the lives of others.

(3) Notwithstanding paragraph (c)(1) of this section, any employee or agent of the Service, any other Federal land management agency, the National Marine Fisheries Service, or a State conservation agency, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take endangered wildlife without a permit if such action is necessary to:

- (i) Aid to sick, injured, or orphaned specimen; or
- (ii) Dispose of a dead specimen; or
- (iii) Salvage a dead specimen which may be useful for scientific study; or
- (iv) Remove specimens which constitute a demonstrable but nonimmediate threat to human safety, provided that the taking is done in a humane manner; the taking may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by live-capturing and releasing the specimen unharmed, in a remote area.

(4) Any taking pursuant to paragraphs (c)(2) and (3) of this section must be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with directions from the Service.

(5) Notwithstanding paragraph (c)(1) of this section, any qualified employee or agent of a State Conservation Agency which is a party to a Cooperative Agreement with the Service in accordance with section 6(c) of the Act, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take Endangered Species, for conservation programs in accordance with the Cooperative Agreement, provided that such taking is not reasonably anticipated to result in: (i) the death or permanent disabling of the specimen; (ii) the removal of the specimen from the State where the taking occurred; (iii) the introduction of the specimen so taken, or of any progeny derived from such a specimen, into an area beyond the historical range of the species; or (iv) the holding of the specimen in captivity for a period of more than 45 consecutive days.

(d) *Possession and other acts with unlawfully taken wildlife.* (1) It is unlawful to possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any endangered wildlife which was taken in violation of paragraph (c) of this section.

Example. A person captures a whooping crane in Texas and gives it to a second person, who puts it in a closed van and drives thirty miles, to another location in Texas. The second person then gives the whooping crane to a third person, who is apprehended with the bird in his possession. All three have violated the law—the first by illegally taking the whooping crane; the second by transporting an illegally taken whooping crane; and the third by possessing an illegally taken whooping crane.

(2) Notwithstanding paragraph (d)(1) of this section, Federal and State law enforcement officers may possess, deliver, carry, transport, or ship any endangered wildlife taken in violation of the Act as necessary in performing their official duties.

(e) *Interstate or foreign commerce.* It is unlawful to deliver, receive, carry, transport, or ship in interstate or foreign commerce,

by any means whatsoever, and in the course of a commercial activity, any endangered wildlife.

(f) *Sale or offer for sale.* (1) It is unlawful to sell or to offer for sale in interstate or foreign commerce any endangered wildlife.

(2) An advertisement for the sale of endangered wildlife which carries a warning to the effect that no sale may be consummated until a permit has been obtained from the U.S. Fish and Wildlife Service shall not be considered an offer for sale within the meaning of this subsection.

[40 FR 44415; Sept. 26, 1975, as amended at 40 FR 53400, Nov. 18, 1975; 41 FR 19228, May 11, 1976.]

Regulations published in the FEDERAL REGISTER of September 26, 1975 (40 FR 44412), provided for the issuance of permits to carry out otherwise prohibited activities involving Endangered or Threatened species under certain circumstances. Such permits involving Endangered species are available for scientific purposes or to enhance the propagation or survival of the species. In some instances, permits may be issued during a specified period of time to relieve undue economic hardship which would be suffered if such relief were not available.

Pursuant to Section 4(b) of the Act, the Director will notify the Governor of New Mexico with respect to this proposal and request his comments and recommendations before making final determinations.

PUBLIC COMMENTS SOLICITED

The Director intends that the rules finally adopted will be as accurate and effective in the conservation of any Endangered or Threatened species as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these proposed rules are hereby solicited. Comments particularly are sought concerning:

(1) Biological or other relevant data concerning any threat (or the lack thereof) to the New Mexican ridge-nosed rattlesnake;

(2) The location of and reasons why any habitat of the New Mexican ridge-nosed rattlesnake should or should not be determined to be Critical Habitat as provided for by Section 7 of the Act;

(3) Additional information concerning the range and distribution of the New Mexican ridge-nosed rattlesnake.

Final promulgation of the regulations on the New Mexican ridge-nosed rattlesnake will take into consideration the comments and any additional information received by the Director and such communications may lead him to adopt final regulations that differ from this proposal.

An environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Office of Endangered Species, 1612 K Street NW., Washington, D.C. 20240, and may be examined during regular business hours. A determination will be made at

- Rule
517 Lack of permit.
518 Findings.

Regulation VI has been rescinded and replaced by California Health and Safety Codes, Chapter 957, Division 26, Sections 43210 and 41860.

Regulation VII has been submitted by the Southern California APCD, but is not being considered in this notice and will be the topic of separate FEDERAL REGISTER notices.

REGULATION VII—EMERGENCIES

- Rule
701 General.
702 Air monitoring stations.
703 Air monitoring summaries.
704 Episode criteria.
705 Episode notification.
706 Episode declaration.
707 Plans.
708 Radio communications system.
709 First stage episode actions.
710 Second stage episode actions.
711 Third stage episode actions.
712 Interdistrict coordination.
713 Enforcement.
714 Termination of episodes.
715 Scientific advisory committee.

REGULATION VIII—ORDERS FOR ABATEMENT

- 801 General.
802 Orders for abatement.
803 Filing petitions.
804 Contents of petition.
805 Scope of order.
806 Findings.
807 Pleadings.
808 Evidence.
809 Failure to comply with rules.
810 Dismissal of petition.
811 Place of hearing.
812 Notice of hearing.
813 Preliminary matters.
814 Official notice.
815 Continuance.
816 Order and decision.
817 Effective date of decision.

County APCD Rules not incorporated into Southern California APCD but still part of the Metropolitan Los Angeles AQCR, and contained within the Metropolitan Los Angeles Intrastate AQCR.

SAN BERNARDINO COUNTY APCD

REGULATION I—GENERAL PROVISIONS

- Rule
5(a) Public availability of emission data.

REGULATION III—FEES

- 40 Permit fees.
42 Hearing board fees.

REGULATION IV—PROHIBITIONS

- 53A Specific air contaminants.
57 Open fires.
57.1 Open burning in agricultural operations.
57.2 Forest management burning.
73 Dry sandblasting.

RIVERSIDE COUNTY APCD

REGULATION III—FEES

- 42 Hearing board fees.

REGULATION IV—PROHIBITIONS

- 53 Specific air contaminants.
57 Open fires.

ORANGE COUNTY APCD

REGULATION IV—PROHIBITIONS

- 53 Specific air contaminants.

LOS ANGELES COUNTY APCD

REGULATION III—FEES

- Rule
42 Hearing Board Fees

State of California State Health and Safety Code, Sections 39000 through 43834 as identified by Assembly Bill No. 1758 and approved by the Governor on September 22, 1975.

Pursuant to section 110 of the Clean Air Act as amended, and 40 CFR Part 51, the Administrator is required to approve or disapprove the regulations as an SIP revision. The Regional Administrator hereby issues this notice setting forth these revisions as proposed rulemaking and advises the public that interested persons may participate by submitting written comments to the Region IX Office. Relevant comments received on or before June 27, 1977, will be considered. Comments received will be available for public inspection at the Region IX Office and the EPA Public Information Reference Unit.

Copies of the proposed revision are available for public inspection during normal business hours at the following locations:

Southern California Air Pollution Control District, 350 West Mission Blvd., Room 217, Pomona, Calif. 91766.

California Air Resources Board, 1709 - 11th Street, Sacramento, Calif. 95814.

Environmental Protection Agency, Region IX, 100 California Street, San Francisco, Calif. 94111.

Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street SW., Washington, D.C. 20460.

(Sec. 110, Clean Air Act, as amended, (42 U.S.C. 1857c-5).)

Dated: May 2, 1977.

PAUL DE FALCO, Jr.,
Regional Administrator.

[FR Doc.77-15062 Filed 5-25-77;8:45 am]

[40 CFR Part 52]

[FRL 736-8]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Revision to Imperial County Air Pollution Control Rules and Regulations in State of California

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: It is the purpose of this notice to acknowledge receipt of and invite public comments on revisions to the Imperial County Air Pollution Control District's Rules and Regulations which were submitted to EPA by the California Air Resources Board for inclusion in the California State Implementation Plan. These revisions were received on November 10, 1976. The EPA solicits comments regarding the desirability of approving or disapproving the rules and regulations being considered, especially as to their consistency with the Clean Air Act.

DATES: Comments may be submitted up to June 27, 1977.

ADDRESS: Send comments to: Regional Administrator, Attn: Air and Hazardous Materials Division, Air Programs Branch, California SIP Section, EPA, Region IX, 100 California Street, San Francisco CA 94111.

FOR FURTHER INFORMATION CONTACT:

Frank M. Covington, Director, Air and Hazardous Materials Division, Environmental Protection Agency, Region IX, Attn: David R. Souten, Chief, California SIP Section, 100 California Street, San Francisco CA 94111, 415-556-7288.

SUPPLEMENTARY INFORMATION:

The November 10, 1976 submittal contained revisions to the following rules:

- Rule 100, Definitions
- Rule 114.5, Exception
- Rule 117, Nuisances
- Rule 131.5, Livestock Feed Yards
- Rule 148.D, Miscellaneous Exceptions

Pursuant to section 110 of the Clean Air Act as amended, and 40 CFR Part 51, the Administrator is required to approve or disapprove the regulations as an SIP revision. The Regional Administrator hereby issues this notice setting forth these revisions as proposed rulemaking and advises the public that interested persons may participate by submitting written comments to the Region IX Office. Relevant comments received on or before June 27, 1977, will be considered. Comments received will be available for public inspection at the Region IX office and the EPA Public Information Reference Unit.

Copies of the proposed revision are available for public inspection during normal business hours at the following locations:

Imperial County Air Pollution Control District, 940 West Main Street, El Centro CA 92243.

California State Air Resources Board, 1709 11th Street, Sacramento CA 95814.

Environmental Protection Agency, Region IX, 100 California Street, San Francisco CA 94111.

Public Information Reference Unit, Room 2922 (EPA Library), 401 "M" Street, SW., Washington, D.C. 20460.

(Sec. 110, Clean Air Act, as amended, (42 U.S.C. 1857c-5).)

Dated: May 2, 1977.

PAUL DE FALCO, Jr.,
Regional Administrator.

[FR Doc.77-15063 Filed 5-25-77;8:45 am]

[40 CFR Part 52]

[FRL 736-1]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Revision to Sacramento County Air Pollution Control Rules and Regulations in State of California

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: It is the purpose of this notice to acknowledge receipt of and invite public comments on revisions to the Sacramento County Air Pollution Control District Rules and Regulations which were submitted to EPA by the State of California for inclusion in the California State Implementation Plan. These revisions were received by November 10, 1976. Regulations concerning New Source Review and Vapor Recovery are not being considered in this notice, and will be the topic of a separate FEDERAL REGISTER notice. The EPA solicits comments regarding the desirability of approving or disapproving the rules and regulations being considered, especially as to their consistency with the Clean Air Act.

DATE: Comments may be submitted up to June 27, 1977.

ADDRESS: Send comments to: Regional Administrator, Attn: Air and Hazardous Materials Division, Air Programs Branch, EPA, Region IX, 100 California Street, San Francisco, CA 94111.

FOR FURTHER INFORMATION CONTACT:

Frank M. Covington, Director, Air and Hazardous Material Division, Environmental Protection Agency, Attn: David Souten, San Francisco, CA 94111, 415-556-7288.

SUPPLEMENTARY INFORMATION: The November 10, 1976 submittal contained revisions to the following rules and regulations:

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| Rule | Title. |
| 1 | Definitions. |
| 11 | Storage of Petroleum Products. |
| 12 | Organic Liquid Loading. |
| 14 | Transfer of Gasoline into Vehicle Fuel Tanks. |
| 21 | Dust and Condensed Fumes. |
| 22a | Open Fires. |
| 22b | Incinerator Burning. |
| 24 | Specific Contaminants. |
| 25 | Organic Solvents. |
| 27 | Orchard Heaters. |
| 28 | Gasoline Storage. |
| 29 | Circumvention. |
| 33 | Contents of Petition. |
| 39 | Notice of Hearing. |
| 44 | Decision. |
| 70 | Permit Fees. |
| 71 | Hearing Board Fees. |
| 90 | Agricultural Burning Permits. |
| 92 | "No Burn" Days. |
| 93 | Preparation of Agricultural Waste. |
| 94 | Limitation on Daily Burning Rate. |
| 95 | Other Burning Limitations. |
| 96 | Emergency Permits. |
| 97 | Agricultural Waterway Delivery and Drainage Systems. |
| 98 | Permits by Fire Protection Agencies. |

Definitions List added to Regulation VII.

Pursuant to section 110 of the Clean Air Act as amended and 40 CFR Part 51, the Administrator is required to approve or disapprove the regulations as an SIP revision. The Regional Administrator hereby issues this notice setting forth these revisions as proposed rulemaking and advises the public that interested

persons may participate by submitting written comments to the Region IX Office. Relevant comments received on or before June 27, 1977, will be considered. Comments received will be available for public inspection at the Region IX Office and the EPA Public Information Reference Unit.

Copies of the proposed revision are available for public inspection during normal business hours at the following locations:

Sacramento County Health Agency, Department of Community Health, 3701 Branch Center Road, Sacramento, California 95827.

California Air Resources Board, 1709 11th St., Sacramento, California 95814.

Environmental Protection Agency, Region IX, 100 California Street, San Francisco, CA 94111.

Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street, SW., Washington, D.C. 20460.

(Sec. 110, Clean Air Act, as amended, (42 U.S.C. 1857c-5).)

Dated: May 3, 1977.

PAUL DE FALCO, Jr.,
Regional Administrator.

[FR Doc. 77-15056 Filed 5-25-77; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

[49 CFR Part 171]

[Docket No. HM-150; Notice No. 77-4]

RADIOACTIVE MATERIALS IMPORTED INTO THE UNITED STATES

Quantity Limitations

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Notice of Proposed Rule Making.

SUMMARY: This proposed rule would permit the import into the United States of packages of Type A and low specific activity radioactive materials which have been prepared in accordance with the quantity limitations of the most recent International Atomic Energy Agency (IAEA) standards. The proposal would permit such IAEA quantity limitations to be used in place of existing DOT quantity limitations, since differences between the two requirements are small but nevertheless hinder importation of Type A and low specific activity materials.

DATE: Comments must be received on or before June 27, 1977.

ADDRESSES: Comments must be addressed to Docket Section, Office of Hazardous Materials Operations, U.S. Department of Transportation, 2100 2nd Street SW., Washington, D.C. 20590. Five copies of comments are requested but not required.

FOR FURTHER INFORMATION CONTACT:

Dr. C. H. Thompson, Acting Director,
Office of Hazardous Materials Opera-

tions, 2100 2nd Street SW., Washington, D.C. 20590, phone 202-426-0656.

SUPPLEMENTARY INFORMATION: Many countries and international transport organizations throughout the world have adopted the standards of the International Atomic Energy Agency's Regulations for the Safe Transport of Radioactive Materials, 1973 Revised Edition, and the adoption of these standards by other countries is imminent. Since the allowable quantity limits for Type A quantities and for low specific activity radioactive materials as set forth in the 1973 IAEA Regulations are at variance with the limits established in current DOT Hazardous Materials Regulations, packages of such radioactive materials imported into the United States, while meeting the standards of the originating country or international transport organizations, and meeting U.S. requirements except for quantity, cannot be transported in commerce in the United States without further repacking. Primary drafters are Alfred W. Grella and Douglas A. Crockett.

The Materials Transportation Bureau is considering an amendment to bring U.S. requirements into closer conformity with 1973 IAEA Standards. However, until final action is taken in that regard, to avoid further interference with import activities involving radioactive materials, the rule proposed herein would authorize the acceptance and transportation of packages meeting the IAEA Standards for Type A or low specific activity radioactive materials.

The proposal would not result in a significant environmental or economic impact, as the net effect of the proposal is to marginally extend domestic quantity limitations for existing packagings. Domestic requirements concerning packaging, marking, labeling and shipping papers are not affected.

In consideration of the foregoing, it is proposed to amend Part 171 of Title 49, Code of Federal Regulations, as follows:

1. In § 171.7 paragraph (d) (10) would be revised to read as follows:

§ 171.7 Matter incorporated by reference.

(d) * * *
(10) IAEA "Regulations for the Safe Transport of Radioactive Materials", 1967 Edition and 1973 Revised Edition, Safety Series No. 6.

2. In § 171.12, a new paragraph (e) would be added to read as follows:

§ 171.12 Import and export shipments.

(e) Notwithstanding the quantity limitations of § 173.389(c) and (L) of this subchapter, any package of radioactive materials which otherwise conforms to the requirements of this subchapter applicable to Type A quantities or low specific activity materials may be offered and accepted for transportation, and transported within the United States, under the following conditions: